

Message Text

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C O N F I D E N T I A L ATHENS 3426

BRUSSELS FOR USEEC

E.O. 11652: GDS
TAGS: PGOV, PINS, GR, SHUM
SUBJ: GREECE ENACTS ANTI-TERRORIST LEGISLATION

1. ON APRIL 21 THE GREEK PARLIAMENT ENACTED LEGISLATION
DESIGNED TO DEAL WITH TERRORISM. THE LEGISLATION ESTABLISHES
PENALTIES RANGING FROM 5-20 YEARS IN JAIL FOR ESTABLISHING
OR PARTICIPATING IN A TERRORIST ORGANIZATION, THROUGH LIFE
IMPRISONMENT FOR COMMITTING TERRORIST ACTS, TO CAPITAL
PUNISHMENT SHOULD THE TERRORISM CAUSE FATALITIES. THE LEGIS-
LATION DOES NOT SPECIFICALLY DEFINE TERRORISM, BUT RATHER
IS AIMED AT WHOEVER ESTABLISHES OR PARTICIPATES
IN A GROUP IN ORDER TO COMMIT HOMICIDE, TO DO DANGEROUS
BODILY INJURY, TO ABDUCT, TO HIJACK, AND TO EMPLOY BOMBS,
FIREARMS, ETC. THE LAW ALSO ESTABLISHES A PUNISHMENT OF
FROM TEN YEARS TO LIFE IMPRISONMENT FOR THOSE WHO
CONSPIRE TO SUBVERT GREEK DEMOCRACY, PUNISHING
"PREPARATORY ACTIVITIES" FOR SUCH SUBVERSION WITH A
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MINIMUM SENTENCE OF SIX MONTHS.

2. COMMENT: THE INTRODUCTION OF THE BILL CAUSED A
FUROR AND OPPOSITION PARTIES -- SUPPORTED BY THE ANTI-
GOVERNMENT PRESS -- WERE VOCIFEROUS AND ACTIVE IN
FIGHTING IT -- EVEN ORGANIZING SEVERAL LARGE RALLIES
IN ATHENS AND ELSEWHERE. ANDREAS PAPANDREOU WAS THE

LOUDEST IN HIS PROTESTS, BUT THE COMMUNISTS WERE NOT FAR BEHIND. TO THE EXTENT THAT THESE PROTESTS WERE MOTIVATED BY POLITICAL EXPEDIENCY, THE GOVERNMENT SEEMS TO HAVE WON THE BATTLE. THE GOG'S MAJORITY HELD TOGETHER IN PARLIAMENT (EVEN THE FAR RIGHT NATIONAL CAMP PARTY VOTED WITH THE GOVERNMENT), AND OPPOSITION SOURCES TELL US THAT PUBLIC OPINION CAME DOWN RATHER STRONGLY ON THE SIDE OF THE GOVERNMENT SINCE MOST GREEKS ARE MORE CONCERNED WITH PRESERVING "ORDER" THAN WITH THEORETICAL DEBATES ABOUT CIVIL LIBERTIES. THE MORO KIDNAPPING IN ITALY HEIGHTENED THE GREEK PUBLIC'S CONCERN WITH THE POTENTIAL TERRORIST THREAT.

3. NEVERTHELESS THERE ARE ALSO GENUINE FEARS AMONG SOME THAT THIS LEGISLATION MAY BE ABUSED THE WAY SIMILAR LAWS WERE ABUSED BY PAST GREEK GOVERNMENTS TO SUPPRESS HONEST DISSENT. THE GOG WENT SOME DISTANCE TO TRY TO MEET THIS CONCERN BY ELIMINATING SOME OF THE PROVISIONS IN ITS ORIGINAL DRAFT WHICH DREW THE HEAVIEST FIRE FROM THOSE CONCERNED WITH CIVIL LIBERTIES. NEVERTHELESS, THE ANTI-SUBVERSIVE PROVISION OF THE BILL REMAINED AND IS A CAUSE FOR CONCERN AMONG DETRACTORS. SOME OF THE BILL'S CRITICS NOTED IRONICALLY THAT IT WAS ENACTED ON THE EVE OF THE APRIL 21 ANNIVERSARY OF THE 1967 COUP AGAINST GREEK DEMOCRACY, AN ANNIVERSARY WHICH

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PASSED RATHER QUIETLY HERE WITHOUT DEMONSTRATIONS OR RALLIES AS IN PAST YEARS.

4. THE BILL DOES, AS THE GOVERNMENT WISHED, SIGNIFICANTLY STRENGTHEN THE GOG'S HAND IN DEALING WITH TERRORISM -- ELIMINATING, FOR EXAMPLE, THE DEFENSE POSSIBLE UNDER THE PENAL CODE THAT A TERRORIST ACT WAS POLITICAL AND NOT A COMMON CRIME.

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